

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

CLAUDIA LEWIS, BRENDA McKEE, and PADREKA SCOTT,)	
)	
)	
Plaintiffs,)	
)	
v.)	
)	
GREENVILLE INN AND SUITES, a)	Civil Action No.: 2:07-cv-01015
hotel/motel licensed and doing business in the)	
State of Alabama, located at 941 Fort Dale)	
Road, Greenville, AL 36037 (a better)	
denomination of which plaintiffs are currently)	
unaware),)	
)	
Defendant.)	

RESPONSE TO ORDER TO SHOW CAUSE

COME NOW Plaintiffs, by and through their counsel of record, and would show that Plaintiffs' case should not be dismissed for the following reasons:

1. Plaintiffs' Counsel attempted to serve summons on Defendant, a company doing business in Alabama, with a summons sent via certified mail to Defendant's place of business.
2. A receipt was returned indicating that the package was signed for by a person named Valery Gray who is believed to be an employee of Defendant's company who was authorized to receive items on the company's behalf (2:07-CV-01015 Case Document # 8). Defendant did not respond to the Complaint and Plaintiffs applied for Entry of Default.
3. Thereafter, Counsel was contacted by the Clerk of the Court who stated concern

that service was improperly made.

4. Counsel attempted to locate and identify the full and true identity of the Defendant and/or any parent company of Defendant. Counsel learned that Defendant has signage outside its place of business calling itself Greenville Country Cottages, and that Defendant has yet another name on its business license with the City of Greenville. The full and true name of Defendant company is still unknown to Plaintiffs' Counsel despite Counsel's attempts to ascertain it.
5. Counsel has contacted the Clerk's office regarding this matter, and in order that there be no question about the sufficiency and propriety of service Plaintiffs file a Motion for leave to serve the Defendant in person by means of a process server concurrent with this Response.

WHEREFORE, the premise considered, Plaintiffs respectfully requests this Honorable Court not dismiss the case for failure to prosecute.

Respectfully submitted this 2nd day of July, 2008.

/s/ Andy Nelms
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